

U.S. ENVIRONMENTAL PROTECTION AGENCY  
PROGRESS POLLUTION REPORT

I. HEADING

Date: May 5, 1994

From: Kevin Matheis, On-Scene Coordinator,  
USEPA, REGION II

*Kevin Matheis*

To: J. Fox, EPA  
W. Muszynski, EPA  
K. Callahan, EPA  
G. Pavlou, EPA  
R. Salkie, EPA  
G. Zachos, EPA  
J. Rotola, EPA  
ERD, Washington, (E-Mail)  
J. Marshall, EPA  
M. Basile, EPA Niagara Falls  
E. Schaaf, EPA  
E. Kissel, EPA  
S. Becker, EPA  
M. Jon, EPA-HWFB  
M. O'Toole, NYSDEC  
F. Shattuck, NYSDEC IX  
P. Simon, EPA  
D. Fischer, EPA  
I. Purdy, EPA-HWFB  
R. Byrns, EPA-OIG  
A. Rockmore, NYSDEC  
TAT

Subject: Frontier Chemical Processes, Inc., Niagara Falls,  
Niagara County, NY - Cyanides, Oxidizers, Flam-  
mables, Corrosives, Halogenated and  
Non-Halogenated Solvents

POLREP NO: Twenty (20)

II. BACKGROUND

SITE/SPILL NO.:	AY
D.O. NO.:	0026-02-036
RESPONSE AUTHORITY:	CERCLA/SARA
NPL STATUS:	Non-NPL
ERCS START DATE:	December 22, 1992
ERCS COMPLETION DATE:	Pending
PRP START DATE:	September 30, 1993
UNILATERAL START DATE:	November 6, 1993
PRP COMPLETION DATE:	Pending
APPROVAL STATUS:	Authorization of Funding from Deputy Regional Administrator
STATUS OF INITIAL ACTION MEMO:	Signed May 17, 1993
STATUS OF \$2 MILLION/12 MONTH EXEMPTION ACTION MEMO:	Signed March 30, 1994

### **III. RESPONSE INFORMATION**

#### **A. Situation**

1. See Polrep #1.

#### **B. Actions Taken**

1. From April 6 through May 5, 1994, the PRP contractor (Laidlaw) shipped 2,700 drums off-site to multiple disposal facilities. Approximately 10 drums remain at the Site and are expected to be shipped during the week of May 9. The OSC will conduct a final inspection of the facility with the PRP contractor and designated coordinator on May 11. It is anticipated that the PRPs will be completed with field activities by May 13.
2. The tank PRPs have been noticed by EPA of their potential liability for the tank action. 500 PRPs have been noticed. 90% of the PRPs, accounting for 40% of the waste in the tanks, have been offered de minimis settlements. The large quantity generators will negotiate the Administrative Consent Order in the near future.
3. On April 26 and 28, EPA held informational meetings in Niagara Falls and New York City. These meetings were to answer PRP questions and to communicate to the PRPs the consent order negotiation timetable.
4. Approximately 80 information requests from generators has been processed.

#### **C. Future Actions**

1. Negotiations with the PRPs will proceed. Commitments to the Consent Order and de minimis order are due to EPA by June 2.
2. EPA will issue a delivery order and additional funding to the present ERCS contractor to begin sampling the tanks. This sampling information will be utilized by the PRPs or EPA, depending on who performs the work.

#### **D. Key Issues**

1. EPA has revised the waste-in list that now reflects the current allocated amounts. The PRPs have been sent the revised information.

#### IV. COST INFORMATION:

**Note:** The costs reflected in this POLREP include additional funding to ERCS, EPA, and TAT that were authorized on March 30, 1994. These costs reflect additional funding approved or maintenance of the facility, but do not reflect the funding authorized for the tank removal action. ERCS ceiling is increased from \$1,565,000 to \$2,434,000. EPA/TAT ceiling is increased from \$390,300 to \$816,300. Amounts listed in cost summary for ERCS summarizes obligated amounts. An additional \$200,000 was obligated to ERCS on April 25 for funding the drum maintenance. An initial POLREP will be generated for the tank phase.

(Previous Contractor)  
Amount Obligated to ETI

ETI Region II  
Contract Costs  
As of 12/17/93

Total  
Remaining

\$ 1,135,000	\$ 1,130,000	\$ 5,000
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Amount Obligated to  
Present Contract  
(OHM)

OHM Region II  
Contract costs  
as of 4/30/94

\$ 730,000	\$ 534,000	\$ 196,000
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* EPA/TAT Costs	\$ 816,300	\$ 450,000	\$ 366,300
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Site Totals	\$ 2,681,300	\$2,114,000	\$ 567,300
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\* Note \$ 241,700 funds from EPA and TAT were transferred into ERCS mitigation ceiling.